

10. 23.09.2021

Ct.32

Tanmoy

Rejected

C.R.M. 3792 of 2021

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Bidhannagar Cyber Crime Police Station Case No. 90/2020** dated **28/12/2020** under Sections **500/509/464/370(1) & (3)/376(2)(j)/376D** of the Indian Penal Code read with Sections **66E/67A** of the Information Technology Act, 2000.

And

In the matter of: - **Subhanjan Roy**

....petitioner.

Mr. Sekhar Kumar Basu, Ld. Sr. Adv.,
Mr. Arindam Jana,
Mr. Sabyasachi Chatterjee,
Ms. Debolina Sarkar,
Mr. Rajnil Mukherjee

...for the petitioner.

Mr. Bivas Chatterjee

...for the State.

This is a case under Sections 500/509/464/370(1)&(3)/376(2)(j)/376D of the Indian Penal Code read with Section 66E/67A of Information Technology Act.

Learned Advocate for the petitioner submits that he is a film director and the victims were called for audition to act in films and after taking audition they were asked to act in films for which agreement was entered into. However, there is no overt act on the part of the petitioner as far as the alleged offence is concerned and he is in custody for about 186 days.

Learned Advocate for the State vehemently opposes the bail prayer of the petitioner and submits that the petitioner called the victim for acting in his films and thereafter offered food laced with drugs. Subsequent thereto, porn videos were made which were uploaded in the social sites. He further draws

our attention to the seizure of drugs in connection with this case. In the light of his above submission he prays that the bail prayer be rejected.

We have heard the learned Advocates of both the sides at length and perused the material in the Case Diary. It is found from the statement of the victim recorded under Section 164 of the Code of Criminal Procedure that this petitioner produced the films and the victims were called to act and thereafter were offered food mixed with drugs. Upon consuming such food, the victim became semi-conscious and the sex videos were made. It is further found that the victim came to learn about the sex videos through Internet on a subsequent date. Furthermore, drugs have been seized in connection with this case. Charge-sheet has been submitted.

On an overall assessment of the material in the Case Diary and the possible extent of complicity of this petitioner and also keeping in view the nature and gravity of the offence, we are not inclined to allow the bail prayer of the petitioner.

Accordingly, the application for bail being C.R.M. 3792 of 2021 is **dismissed**.

However, we request the learned trial Court to expedite the trial and bring the same to its logical conclusion at the earliest.

All parties shall act in terms of server copy of this order downloaded from the official website of this Court.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)